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Report of the Secretary-General concerning the situation in Abkhazia, Georgia

I. Introduction

1. This present report is submitted pursuant to Security Council resolution 1287 (2000) of 31 January 2000, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2000 and requested me to report three months from the adoption of the resolution on the situation in Abkhazia, Georgia. This report provides an update on the situation as at 15 April 2000.

2. The Mission continues to be headed by my Special Representative for Georgia, Dieter Boden. He is assisted by Chief Military Observer Major General Anis Ahmed Bajwa (Pakistan), who assumed his duties on 11 February 2000. The strength of UNOMIG, as at 15 April 2000, stood at 102 military observers (see annex).

II. Political aspects

3. From 27 to 29 January 2000 I visited Moscow, accompanied by my Special Representative, and discussed, *inter alia*, the Georgian/Abkhaz peace process at my meetings with the Acting President, Vladimir Putin, and other officials.

4. During the reporting period, my Special Representative continued to carry out consultations and preparatory work within the proven framework of the United Nations-led Geneva peace process. In pursuance of Security Council resolution 1287 (2000), work continued on the question of the distribution of constitutional competences between Tbilisi and Sukhumi (see S/2000/39, para. 7). A revised draft paper on this issue was distributed in mid-March to the Russian Federation, as facilitator, and to the members of the group of Friends of the Secretary-General, incorporating their comments on the original draft. Further discussions are currently under way with a view to finalizing the draft in the near future and submitting it to the sides in the conflict.

5. While its basic position on the question of the status has not changed, the Abkhaz side has indicated its interest in not being excluded from the discussion. In letters addressed to me on 14 February and 3 April 2000, the Abkhaz leader, Vladislav Ardzinba, drew attention to some of the legal aspects related to the settlement of the conflict and asserted that, during the course of the negotiations, the position of the United Nations had departed from principles agreed on in earlier signed documents. In his reply, on my behalf, of 21 March 2000, the Under-Secretary-General for Political Affairs stressed that the position of the United Nations had remained constant, namely, that a comprehensive settlement must be based on the principles of full respect for the sovereignty and territorial integrity of Georgia and the right of all refugees and internally displaced persons to a safe, secure and voluntary return to Abkhazia within Georgia.

6. In order to alleviate a deteriorating security situation on the ground, my Special Representative, at the behest of both the President of Georgia, Eduard Shevardnadze, and the Abkhaz leader, Vladislav Ardzinba, and with logistical support from UNOMIG, convened a meeting at Sukhumi on 3 February 2000 between the State Minister of Georgia, Vazha Lordkipanidze, and the de facto Prime Minister of Abkhazia, Viacheslav Tsugba, with the participation of

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the Commander of the peacekeeping force of the Commonwealth of Independent States (CIS). The meeting resulted in the signing by the four participants of a Protocol on a series of concrete measures to improve the situation.

7. On 27 and 28 February, again with logistical support from UNOMIG, my Special Representative brought to Sukhumi Revaz Adamia, Chairman of the Georgian Parliamentary Committee on Defence and Security, and chaired talks between Mr. Adamia and Anri Jergenia, the personal representative of Mr. Ardzinba to the peace process. Their discussion focused on the non-use of force, the return of refugees and internally displaced persons to the Gali district, and economic rehabilitation measures, based on two draft texts entitled "Agreement on peace and guarantees for the prevention of armed confrontation" and "Protocol on the return of refugees to the Gali district and measures for economic rehabilitation". During the meeting, the two sides clarified their respective views, produced new working drafts of both documents and agreed to continue bilateral consultations on this matter.

8. On 26 March, in pursuance of decisions taken at the meeting on confidence-building measures held at Istanbul in June 1999, my Special Representative brought to Sukhumi a representative of the Georgian press agency Caucasus Press for consultations with Abkhaz counterparts. As a result of those consultations, specific agreements on bilateral cooperation in the field of information were reached. During the reporting period, international and local non-governmental organizations, academic institutions and the United Nations Human Rights Office in Abkhazia, Georgia, have continued to facilitate "people's diplomacy" contacts and civil society development.

9. On 9 April, President Shevardnadze was re-elected to his position in Georgia's presidential elections.

III. Operations of the United Nations Observer Mission in Georgia

10. The Mission has continued to carry out its mandate in accordance with the concept of operations outlined in my previous reports. It conducts daily ground patrols from the mission headquarters in Sukhumi and the two sector headquarters in Gali and Zugdidi, as well as weekly helicopter patrols covering the whole area of responsibility, except the upper Kodori Valley (see S/2000/39, para. 24).

11. It will be recalled that, in the wake of the hostage-taking incident of 13 October 1999 (see S/1999/1087, para. 18), UNOMIG appealed to the Georgian Ministry of Defence to provide sufficient security to enable the Mission to carry out its observation mandate in the Georgian-controlled upper part of the valley and recover United Nations property from its former team base. Regrettably, the Georgian authorities have so far been unable to provide the required security guarantees and to bring to justice the perpetrators of the October 1999 incident. Meanwhile, regular ground and air patrols have continued in the Abkhaz-controlled lower part of the valley with security provided by the CIS peacekeeping force and the Abkhaz authorities.

12. During the reporting period, the two helicopters deployed to the Mission in March 1998 and July 1999 played a critical security and operational role, and were utilized in the implementation of special projects related to the peace process. The two aircraft were the sole means of transport between the two sectors during two periods of restricted movement, namely, from the beginning of the year until 10 February, when patrolling on the main road through the Gali sector was suspended following a landmine incident (see S/2000/39, para. 17) and from 30 January to 21 February, when the main bridge over the Inguri River was blocked by demonstrators demanding the release of relatives who had been taken hostage.

13. Since the signing of the protocol establishing the Joint Investigation Group at the ninth session of the Coordinating Council, in January 2000 (see S/2000/39, para. 5), 5 new investigations have been taken up by the Group, and 14 investigations begun earlier are still under way. By emphasizing transparency in investigations and allowing personal contacts at the working level, the Group has reduced mistrust and tension on the ground. It is thus becoming a valuable element of improved security in the area of conflict, although some issues relating to the status of those individuals who, until now, have represented the Georgian side in the Group still remain unresolved.

IV. Situation on the ground

14. The situation in the UNOMIG area of responsibility remained generally calm although unstable during the reporting period, and there were no significant violations of the Moscow Agreement. However, there continues to be a high level of criminal activity along and across the ceasefire line, indicating the fragility of cooperation between the parties and the limits to effective action by the competent law enforcement organs.

15. Tensions reached a peak on 25 January 2000 when two Abkhaz militiamen were killed in an ambush near the village of Dikazurga in the Gali district, close to the ceasefire line. On the same day, three Abkhaz men, reportedly linked to organized crime structures in the Gali district, were killed during a meeting with individuals from Zugdidi, and two Abkhaz who survived the shooting were taken into custody by Georgian law enforcement personnel. Abkhaz demonstrations in the Gali district in the aftermath of these incidents created an atmosphere of considerable tension and raised fears of retaliatory measures. Unconfirmed rumours of military preparations on both sides of the ceasefire line also led to a fear of escalation. These events occurred against a background of tit-for-tat abductions on both sides of the ceasefire line, which had begun in December 1999 (see S/2000/39, para. 19).

16. In accordance with the Protocol signed at the meeting held on 3 February at Sukhumi, which had been convened to address the situation described above, one abductee was released by the Abkhaz side as a gesture of good will. However, the exchange process quickly broke down because the Georgian side declared itself unable to implement some of the provisions of the Protocol within the established time frame. Following further intensive mediation efforts by both my Special Representative and the Chief Military Observer, the exchange of four men held by the Georgian side and seven men and one woman held by the Abkhaz side eventually took place on 29 March. The operation involved the use of the two UNOMIG helicopters to execute simultaneous take-offs and landings between the two sides. The successful exchange noticeably improved mutual confidence in the zone of conflict and decreased tensions.

17. Despite the good will fostered by the successful hostage exchange, the beginning of April witnessed two serious ambush attacks against Abkhaz law enforcement personnel in the lower Gali district in which eight militiamen were killed and seven wounded. The incidents sharply heightened tensions and fears of retaliation on the ground. In the aftermath, my Special Representative and the Chief Military Observer exercised their good offices to urge the two parties to show restraint, and both engaged in direct bilateral communication by telephone to discuss the matter.

18. Efforts by UNOMIG to implement the other two provisions of the Protocol of 3 February 2000 have met with mixed results. The verification of the numbers of security personnel on both sides of the ceasefire line and their reduction in accordance with pre-established ceilings, in pursuance of the first provision of the Protocol, were hampered by sometimes imprecise information from local commanders and by continuing discrepancies in the figures. The second provision of the Protocol stipulates that the parties, together with the CIS peacekeeping force and UNOMIG, should take steps to bring about the withdrawal of illegal armed groups from the security and restricted weapons zones. To this end, UNOMIG has deployed the necessary observation and reporting mechanism. It has no mandate, however, to actually remove such groups.

19. In a familiar pattern, the spring planting season is drawing increasing numbers of displaced local residents back into the Gali district to tend their land. The process of spontaneous resettlement is thus continuing, albeit in a precarious security environment.

V. Security situation

20. The security and safety of UNOMIG personnel remains the highest priority for the Mission. Although the number of criminal acts directed at UNOMIG over the reporting period has been rather small, these acts nevertheless cause concern. On 15 March 2000 in Gali town, a local employee of UNOMIG and his wife were both shot and injured, the wife seriously, in an apparent robbery attempt in their home. Also in the Gali district, on 17 March, a UNOMIG international civilian security officer was robbed at gunpoint and, on 6 April, two United Nations military observers and a member of an international non-governmental organization were also robbed at gunpoint. UNOMIG has appealed to the authorities in Sukhumi, Gali and Zugdidi to improve security conditions for the Mission. UNOMIG security

regulations are being regularly reviewed in the light of developments and the Mission's evacuation plan is currently undergoing a comprehensive revision.

VI. Cooperation between the Mission and the collective peacekeeping force

21. Relations at all levels with the CIS peacekeeping force continue to be good. The recently promoted Commander of the force, Lieutenant General Sergei Korobko, has developed a practice of frequent communications and consultations with the Chief Military Observer. Security arrangements by the CIS peacekeeping force in respect of UNOMIG are regularly tested and UNOMIG continues to feel confident that it can rely on the force's assistance in emergency situations.

VII. Humanitarian situation and human rights

22. During the reporting period, humanitarian agencies continued to provide for the acute needs of the most vulnerable elements of the population, as outlined in my previous report (S/2000/39, paras. 26 and 27).

23. In the Gali district, the activities of the humanitarian community remained limited and did not meet the actual needs of the population. International aid agencies continue to find it difficult to provide assistance to returnees to the district because, in their view, security conditions are still inadequate. In other areas, looting associated with the activities of criminal gangs at times compels the agencies to deliver humanitarian assistance under the armed protection of the CIS peacekeeping force. In the absence of acceptable security guarantees for both returnees and humanitarian aid workers, agencies are reluctant to undertake programmes that may encourage returns.

24. In addition to increasing vulnerability inside Abkhazia, Georgia, the conflict has also left tens of thousands of internally displaced persons elsewhere in Georgia in a precarious condition, in effect locking them out of the benefits that could accrue to them from participation in longer-term development initiatives. In order to address this issue, the Government of Georgia, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the World Bank, and the Office for the Coordination of Humanitarian Affairs have developed a New Approach to assistance to internally displaced persons, which recognizes the right of all persons to return to their homes in secure conditions. However, in the absence of those conditions, the new approach also recognizes the right of internally displaced persons to be treated in the same manner as all Georgian citizens and favours giving them the opportunity to build skills and a level of self-reliance that will enable them to reintegrate into society when they eventually return to their homes. President Shevardnadze has recently established a commission, chaired by the State Minister, to facilitate the elaboration of the new approach in conjunction with United Nations agencies and the World Bank. It is encouraging that Member States, the World Bank and United Nations agencies have made preliminary pledges of over US$ 1 million to the Self-Reliance Pilot Fund established by the partners in the new approach to catalyse financing for innovative projects that contribute to the self-sufficiency of internally displaced persons.

25. The United Nations Human Rights Office in Abkhazia, Georgia, continues to monitor the human rights situation in the region. Cases of human rights violations have been brought to the attention of the Abkhaz de facto authorities. Most of the cases relate to property rights and residence permits; pension entitlements and humanitarian allowances; robberies; and harassment in the workplace or in the neighbourhood on ethnic or gender grounds. On the positive side, the reporting period saw the conclusion of a case followed closely by the Office: on 23 February, the daughter of a UNOMIG staff member who had been kidnapped and held for ransom in November 1999 was freed in a successful operation launched by the Abkhaz security forces.

26. On 28 March, my Special Representative hosted a ceremony to mark the release of Abkhaz-language translations, completed under the sponsorship of the Human Rights Office, of two human rights documents, the International Bill of Human Rights and "ABCs of teaching human rights". The Abkhaz leader, Mr. Ardzinba, and other representatives of the Abkhaz leadership and civil society attended the ceremony. During the reporting period, the Office also continued its programme of book donations to libraries and

educational institutions; initiated a prison visit project; and entered into discussions with the local television station concerning the broadcasting of a human rights series.

VIII. Social and economic aspects

27. During the reporting period, the Parliament of Georgia approved a budget for the year 2000 which envisages expenditures of approximately 1.25 billion Georgian lari. Revenues for the year are expected to amount to approximately 870 million lari, with a consequent projected deficit of 380 million. The approved budget, which is in accordance with recommendations made by the International Monetary Fund (IMF), improves Georgia's chances of receiving financing and loans from IMF, multilateral institutions and other donors.

28. In Abkhazia, Georgia, the authorities have declared a significant increase in the budget revenues collected in 1999 and estimate that the budget will continue to increase by approximately 50 per cent annually. An increase in pensions and wages paid to employees on the "state" payroll was also announced. Despite these positive signs, the majority of the population remains unemployed. Educational and work opportunities are still lacking, and the exodus of young, capable residents in search of better opportunities elsewhere continues.

IX. Observations

29. My Special Representative, supported by the Russian Federation in its capacity as facilitator, the Organization for Security and Cooperation in Europe and the group of Friends of the Secretary-General, continues his efforts to further the Geneva peace process, working simultaneously with the Friends of the Secretary-General on the question of the distribution of constitutional competencies and with the parties on practical issues, including refugee return, economic rehabilitation and the non-resumption of hostilities. The most important regular mechanism of the process remains the Coordinating Council, which should continue to meet regularly, under the chairmanship of my Special Representative, preserving the format and pursuing the goals set forth in its statute. Both sides should make still more active use of this machinery.

30. Since the beginning of the United Nations-led peace process, the ultimate goal has been the comprehensive settlement of the conflict, including defining the status of Abkhazia within the State of Georgia, on the basis of Georgian territorial integrity, sovereignty and independence, and the imprescriptible right of refugees and displaced persons to return to their previous places of permanent residence. I welcome the readiness demonstrated by the Abkhaz leader, Mr. Ardzinba, to engage in a dialogue concerning elements of the political settlement of the conflict, and I call particularly on the Abkhaz side to be ready to consider the proposals now in preparation so as to bring about progress on key issues of the political settlement.

31. I welcome the new approach to assistance to internally displaced persons and its attempts to improve the extent to which such persons exercise their rights and have access to opportunities as citizens of Georgia. At the same time, both sides should be reminded that providing a safe, secure and dignified return for all refugees and internally displaced persons who desire it is essential. In particular, the undefined and insecure status of spontaneous returnees to the Gali district is a matter that must be addressed urgently. At the same time, the current situation in the district indicates that a process of improvement of security conditions for returnees may be beginning, which could facilitate discussion of policies to better meet the needs of the returnees.

32. The creation of the necessary security conditions for the return of refugees and internally displaced persons, together with the provision of a proper security environment for the work of UNOMIG and other agencies and organizations, remain primarily the responsibility of the two sides. The meeting at Sukhumi on 3 February demonstrated that direct bilateral contacts continue to be the most effective means for allaying fears and reducing tensions. In the same spirit, increased communication between the sides in the zone of conflict has also proved to be a practical means to increase cooperation and build confidence. Both sides should continue to participate actively in the work of the Joint Investigation Group, take further steps towards the full implementation of the Protocol of 3 February, and continue in the future

to turn to each other, as a first resort, whenever security concerns arise.

33. The confidence-building measures component of the process has lagged somewhat owing to the mistrust engendered by the long delays in the exchange of detainees. I therefore note with satisfaction the good will demonstrated by the two sides that brought about the successful exchange of hostages on 29 March. Firm steps must be taken against the practices of hostage-taking and abduction, whether for political or pecuniary reasons. I call on both sides actively to consider the paper prepared by my Special Representative concerning implementation of the confidence-building measures agreed on during the meetings held at Athens and Istanbul, in October 1998 and June 1999, respectively (see S/2000/39, para. 6) and to work out means for their full implementation.

34. In conclusion, I would like to express my appreciation to the men and women of UNOMIG for their steadfast service in the cause of peace in difficult and sometimes dangerous conditions.

Annex

Composition of the United Nations Observer Mission in Georgia as at 15 April 2000

Country	*Military observers*
Albania	1
Austria	5
Bangladesh	7
Czech Republic	5
Denmark	5
Egypt	3
France	3
Germany	10
Greece	4
Hungary	7
Indonesia	4
Jordan	6
Pakistan	6
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
Uruguay	3
United States of America	2
Total	**102**

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